

shall include a surface use plan of operations as an integral part of the proposal unless it comes within the exception provided in § 3161.3 of this title, in which case a copy of such surface use plan must be provided in accordance with § 3161.3(b).

11. Paragraph (c) of § 3162.3-4 is amended by revising the last sentence to read as follows:

§ 3162.3-4 Well abandonment.

* * * * *

(c) * * * Upon the removal of drilling or producing equipment from the site of a well that is to be permanently abandoned, the surface of the lands disturbed in connection with the conduct of operations shall be reclaimed in accordance with a plan already approved or prescribed by the authorized officer or, where appropriate, where approved by the authorized representative of the Secretary of Agriculture as provided in § 3161.3 of this title.

Dated: November 13, 1995.

Bob Armstrong,

Assistant Secretary of the Interior.

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BILLING CODE 4310-84-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 22

[CC Docket No. 94-102]

Compatibility of Wireless Services with Enhanced 911

AGENCY: FCC.

ACTION: Proposed rule.

SUMMARY: The petition filed by Ad Hoc Alliance for Public Access to 911 requests the Commission to amend its Rules to mandate the provision of 911 service access by Commercial Mobile Radio Services (CMRS) providers. Because the issues raised in this Petition are closely related to the current E911 rulemaking proceeding, the Commission requests that comments on the Petition be filed in conjunction with the proceeding in CC Docket No. 94-102. The effect of the proposed rules would be to provide users of cellular telephones with effective and reliable access to 911 emergency systems.

DATES: Comments must be filed on or before December 15, 1995 and reply comments must be filed on or before January 3, 1996.

ADDRESSES: Federal Communications Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT:

Won Kim, Policy Division, Wireless Telecommunications Bureau, (202) 418-1310.

SUPPLEMENTARY INFORMATION: On October 27, 1995, the Ad Hoc Alliance for Public Access to 911 ("Alliance") filed a Petition for Rulemaking to amend Part 22 of the Commission's Rules to provide users of cellular telephones with effective and reliable access to 911 emergency systems. Copies of Alliance's Petition are available for public inspection and copying in the FCC Reference Center, Federal Communications Commission, 1919 M Street, N.W., Room 239, Washington, D.C. 20554. Alliance contends that 911 cellular telephone service may be denied or unavailable when the carrier's cellular telephone system is programmed to block 911 calls from transient or non-system subscribers. Specifically, Alliance requests the Commission to amend Section 22.911(b) of the Commission's Rules to require cellular carriers to promptly connect all 911 calls without precondition. Alliance also proposes that Section 22.933 of the Commission's Rules be amended to require that all newly constructed mobile and portable stations be equipped to scan all of the control cellular telephone channels assigned to both System A and to System B, and to select and use the channel with the strongest signal whenever a 911 call is placed.

In a Notice of Proposed Rulemaking adopted September 19, 1994,¹ the Commission proposed to adopt rules requiring, *inter alia*, that Commercial Mobile Radio Service ("CMRS") providers offering real time voice services include enhanced 911 ("E911") capability as part of their service within five years of a final Order. Under the proposed rules, any mobile radio transmitter that is service initialized on a radio network must be allowed to make a 911 call without a requirement for user validation. Comments on the NPRM were filed on January 9, 1995, and reply comments were filed on March 17, 1995. Consumers First and Alliance filed comments on the NPRM, requesting the Commission to issue a further notice of proposed rulemaking mandating the provision of 911 service access without regard to prior service arrangements by CMRS providers. The

¹ See Revision of the Commission's rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems, CC Docket No. 94-102, Notice of Proposed Rulemaking, 59 FR 54878 (1994) ("NPRM").

Commission is currently reviewing the record on this docket.

Because the issues raised in Alliance's Petition are closely related to the current E911 rulemaking proceeding, the Commission requests that comments on Alliance's Petition be filed in conjunction with the proceeding in CC Docket No. 94-102. Interested parties may file comments no later than December 15, 1995. Reply comments must be filed by January 3, 1996. All comments should be filed with the Office of the Secretary, Federal Communications Commission, 1919 M Street, N.W., Room 222, Washington, D.C. 20554, referencing CC Docket No. 94-102 and Alliance's Petition for Rulemaking. Filing should be accompanied by proof of service upon the petitioner and the parties in this proceeding. The list of the parties may be obtained from the Office of the Secretary by referencing CC Docket No. 94-102. The full text of the Petition, the comments, and reply comments are available for inspection and duplication during regular business hours in the FCC Reference Center, Federal Communications Commission, 1919 M Street, N.W., Room 239, Washington, D.C. 20554. Copies may be obtained from International Transcription Service, Inc. (ITS), 2100 M Street, N.W., Suite 140, Washington, D.C. 20037, (202) 857-3800.

For further information, contact Won Kim at (202) 418-1310, Wireless Telecommunications Bureau, Policy Division.

Federal Communications Commission

William F. Caton,

Acting Secretary.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 625

[Docket No. 951116270-5270-01; I.D. 110195B]

Summer Flounder Fishery; Proposed 1996 Specifications

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Proposed specifications for the 1996 summer flounder fishery; request for comments.

SUMMARY: NMFS proposes specifications for the 1996 summer flounder fishery, which include commercial catch quotas

and other restrictions. The implementing regulations for the fishery require NMFS to publish specifications for the upcoming fishing year and provide an opportunity for the public to comment. The intent of these measures is to prevent overfishing of the summer flounder resource.

DATES: Comments must be received on or before December 21, 1995.

ADDRESSES: Copies of the supporting documents used by the Summer Flounder Monitoring Committee are available from Executive Director, Mid-Atlantic Fishery Management Council, Room 2115, Federal Building, 300 S. New Street, Dover, DE 19901-6790. Comments on the proposed specifications should be sent to Dr. Andrew A. Rosenberg, Director, Northeast Region, NMFS, One Blackburn Drive, Gloucester, MA 01930-2298.

FOR FURTHER INFORMATION CONTACT: Regina Spallone, 508-281-9221.

SUPPLEMENTARY INFORMATION:

Background

Section 625.20 of the regulations implementing the Fishery Management Plan for the Summer Flounder Fishery (FMP) specifies the process for setting annual management measures in order to achieve the fishing mortality rates (F) specified in the FMP. The schedule established by Amendment 2 to the FMP set a target F of 0.53 for 1993-95, and 0.23 (F_{max}) for 1996 and beyond. However, stock assessment data indicated that the quota associated with an F of 0.23 in 1996 would represent a more than 50 percent drop from the 1995 quota. This reduction would have had significant negative impacts on industry. The Council responded by submitting Amendment 7 on August 5, 1995, to revise the F reduction schedule. The amendment moderated the negative impacts on industry of the previous rebuilding schedule, while still maintaining the FMP's stock rebuilding strategy. The revised schedule is 0.41 in 1996, 0.3 in 1997, and 0.23 (F_{max}) in 1998 and beyond. In addition, the quota for 1996 and 1997 may not exceed 18.51 million lb (8.4 million kg), unless that

quota had an associated F of 0.23. Amendment 7 was approved on November 7, 1995.

The regulations at 50 CFR part 625 establish a Summer Flounder Monitoring Committee (Monitoring Committee) consisting of representatives from the Atlantic States Marine Fisheries Commission, the Mid-Atlantic Fishery Management Council (Council), the New England Fishery Management Council, and NMFS, which recommends an annual commercial catch quota and other restrictions to achieve the specified F. The Monitoring Committee recommends annual measures after reviewing the following information: (1) Commercial and recreational catch data, (2) estimates of fishing mortality, (3) stock status, (4) estimates of recruitment, (5) virtual population analysis (VPA), (6) levels of regulatory noncompliance by fishermen or individual states, (7) impact of fish size and net mesh regulations, (8) impact of gear other than otter trawls on the mortality of summer flounder, and (9) other relevant information.

After reviewing the required information, the Monitoring Committee may recommend, in addition to the coastwide quota, modifications to the commercial minimum fish size, the minimum mesh size and restrictions to gears other than otter trawls.

The Council's Demersal Species Committee considers the recommendations of the Monitoring Committee as well as any public comments, and in turn, makes its recommendation to the full Council.

1996 Recommendations

The annual management measures are based upon stock projections derived from VPA results. This assessment indicates that although fishing mortality rates have declined, the target fishing mortality rates specified in the FMP have not been achieved in any year since plan implementation. The spawning stock biomass (SSB) of fish age 2 and older has increased; fish of these ages represent viable spawners. There was also improved recruitment in 1994, with the 1994 year class estimated at approximately 50 million fish.

Although the stock assessment indicates improvement in the summer flounder stock, the biomass is still comprised of mostly young fish, with only 26 percent of the total SSB older than age 3 in 1995. Under equilibrium conditions and a fishing mortality rate of 0.23, approximately 77 percent of the SSB would be age 3 and older.

The Monitoring Committee recommended a coastwide quota of 18.51 million lb (8.4 million kg). This quota would result in an allocation of 11.11 million lb (5.04 million kg) for the commercial quota and 7.4 million lb (3.36 million kg) for the recreational harvest limit. The Monitoring Committee determined, after a review of projections, that it was virtually impossible to recommend a higher quota, because it could not achieve the F level of 0.23 required by the FMP.

The Monitoring Committee recommendation was adopted by the Demersal Committee and the Council at its meeting September 20-21, 1995. The Director, Northeast Region, NMFS (Regional Director) has reviewed these recommendations and has determined that they are necessary to assure that the fishing mortality rates specified in § 625.20 are not exceeded. The Regional Director is seeking public comments on these proposed specifications: (1) A coastwide harvest limit of 18.51 million lb (8.4 million kg), (2) a coastwide commercial quota of 11.11 million lb (5.04 million kg), (3) a coastwide recreational harvest limit of 7.4 million lb (3.36 million kg), (4) no change from the present minimum commercial fish size of 13 inches (33 cm), and (5) no change in the present minimum mesh restriction of 5½ inch diamond (14.0 cm) or 6 inch square (15.2 cm).

If these proposed specifications are approved, the commercial quota allocated to each state according to percentage shares specified in § 625.20(d)(1), would be the amounts depicted in Table 1 below. (These state allocations do not reflect the adjustments required under § 625.20 if 1994 landings exceed the quota for any state. Allocation adjustments will be published in the Federal Register if such adjustments are necessary.)

TABLE 1.—1996 STATE COMMERCIAL QUOTAS (PROPOSED)

State	Share (%)	1996 quota (lb)	1996 quota (kg)
ME	0.04756	5,282	2,396
NH	0.00046	51	23
MA	6.82046	757,480	343,587
RI	15.68298	1,741,752	790,045
CT	2.25708	250,671	113,702
NY	7.64699	849,275	385,225
NJ	16.72499	1,857,477	842,537

TABLE 1.—1996 STATE COMMERCIAL QUOTAS (PROPOSED)—Continued

State	Share (%)	1996 quota (lb)	1996 quota (kg)
DE	0.01779	1,976	896
MD	2.03910	226,462	102,721
VA	21.31676	2,367,439	1,073,852
NC	27.44584	3,048,135	1,382,611

The FMP calls for proposed specifications of the commercial quota, recreational harvest limit, and additional measures for the commercial fishery, to be published in the Federal Register by October 15. However, due to the timing of the Council meeting (September 20–21) during which the

recommendations were made, publication of the specifications was delayed.

Classification

This action is authorized by 50 CFR part 625 and is exempt from review under E.O. 12866.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: November 21, 1995.

Gary Matlock,

Program Management Officer, National Marine Fisheries Service.

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